



Austin City Council MINUTES

April 23, 1992

MEETING CALLED TO ORDER - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the presence of all Councilmembers.

The Mayor then introduced the Mayor from Raleigh, North Carolina, who was present in the Council Chamber.

1. Approved Minutes for Regular Meeting of April 9, 1992 and Special Meetings of April 8 and 14, 1992

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 5-0 Vote, Councilmembers Larson and Epstein out of the room.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Derrick Norris, to discuss environmental and crime problems in east Austin. Was not present.
3. Ms. Amy Brown, to discuss changing law concerning bicycle riding on the sidewalk.
4. David Elliott, to discuss Austin's horrendous bond debt and costly City management.
5. Mr. Henry Ratliff, to discuss how Austin should not be its own worst enemy.
6. Mr. Douglas Fike, to discuss continued development along Barton Creek. Was not present.
7. Mr. W.B (Bill) Howell, to discuss legal lot status and Austin/Travis County environmental health services.
8. Luthor Carpenter, to present the second speech in a series on the management, budget and Council concerns.
9. Mr. Christopher A. Faurie, to discuss subdivision plat requirements for illegal single lots in the City of Austin ETJ, and to question the authority of the City of Austin to require subdivision plats for lots which are not subdivided and do not require City services.

10. Ms. Kathleen Byrne Harris, to request a variance for a carport.
Withdrew her request to speak.
11. Mr. Neil Davies, to request a waiver of the variance application fee for a carport.
Withdrew his request to speak.

1:30 P.M. - BOND SALES

12. Authorize the issuance of City of Austin, Texas, Public Improvement Refunding Bonds, Series 1992, calling for redemption prior to maturity of certain outstanding obligations of the City, enacting other provisions relating thereto.
Postponed
13. Authorize the execution of a Paying Agent/Registrar Agreement and a Letter of Representations for issuance of book-entry obligations, with respect to the City of Austin, Texas, Public Improvement Refunding Bonds, Series 1992.
Postponed

BOARD AND COMMISSION REPORTS

14. Austin Comprehensive Arts Plan Task Force Report.
Report given by Maxine Barkan
15. Austin Bicycle Safety and Mobility Task Force Report.
Report given by Charlie Gandy and Sandy Kern.

ORDINANCES

16. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2416-2712 Gracy Farms Lane, Case No. C14-90-0033, from "LO", Limited Office, and "RR" Rural Residence to "RR" Rural Residence and "MF-3-CO", Multi-family Residence (medium density)-Conditional Overlay, FIRST SERVICE CORPORATION, Shawn Breedlove. First reading on April 11, 1991; Vote 6-0, Councilmember Epstein out of the room. Conditions met as follows: Fiscal for traffic signalization at Gracy Farms Lane (Duval Road)/Burnet Road has been posted. (Public Hearing Closed - No Citizen Sign-Up)

On Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

Drainage Utility (Items 17-18)

17. Approve increasing the Drainage Utility residential fee by \$0.50 per month (to \$3.82 per month) and the Drainage Utility Commercial fee by \$5.40 per acre per month (to \$41.23 per acre per month) to fund water quality retrofit and monitoring programs in the Barton Springs Zone Watersheds. (Estimated revenue for FY 1991-92 is \$770,000; estimated revenue for FY 1992-93 is \$1,848,800.) (Recommended with amendments and conditions by the Water and Wastewater Commission, Planning Commission and Environmental Board; Reviewed by the Drainage Utility Business Plan Subcommittee.)

No action taken. See motions after 17 and 18. These two items were discussed at the same time.

18. Approve amending the 1991-92 Operating Budget as follows: (a) increasing revenues by \$770,400 and appropriations by \$668,519 in the 1991-92 Drainage Utility Fund Operating Budget; (b) increasing the number of full-time positions by four (4) in the Environmental and Conservation Services Department; and (c) increasing expenditures and expense refunds by \$660,815 in the Environmental and Conservation Services Department Operating Budget. (Recommended with amendments and conditions by the Water and Wastewater Commission, Planning Commission and Environmental Board; Reviewed by the Drainage Utility Business Plan Subcommittee.)
No action taken.

Motion

Councilmember Reynolds made a motion, seconded by Mayor Todd to approve the ordinance. Motion FAILED by a vote of 3-3-0, with Councilmembers Garcia and Larson and Mayor Pro Tem Urdy voting No, Councilmember Epstein out of the room.

Substitute Motion

Councilmember Garcia offered a substitute motion, seconded by Councilmember Larson to postpone action until the 1992-93 budget process. Motion FAILED by a vote of 3-3-0, with Councilmembers Nofziger and Reynolds and Mayor Todd voting No, Councilmember Epstein out of the room.

Meeting Recessed and Moved

Because of the strong odor of gas in the Council Chamber from a broken gas line near by, the Council recessed its meeting for one hour and moved the place from the Council Chamber to the Assembly Room in Town Lake Center.

19. Authorized acceptance of \$350,019 in grant funds from the State of Texas, Governor's Energy Office, for the design and construction of a thermal (ice) storage air-conditioning system for the Convention Center; amend Ordinance No. 910912-B, the Capital Budget, by appropriating \$350,019 to the Austin Convention Center Capital Budget, CIP 495-827-3000. (Reviewed by Convention Center Subcommittee; recommended by Planning Commission.) [Related to Item 20]

RESOLUTIONS

20. Approved negotiation and execution of a Demonstration Project Agreement with the Governor's Energy Office, State of Texas, for the design and construction of thermal (ice) storage air conditioning system for the Convention Center, in the amount of \$330,019. (Funding provided by the State of Texas Local Government Energy Program.) (Reviewed by Convention Center Subcommittee) [Related to Item 19]

#19-20 on Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

Relocation of Computer Center (Items 21-23)

21. Approved negotiation and execution of a contract with INTERNATIONAL BUSINESS MACHINES (IBM), Austin, Texas, for the purchase of computer equipment relocation services, in an amount not to exceed \$179,773. (Funding in the amount of \$89,886 included in the 1991-92 Water and Wastewater CIP Budget; \$89,887 included in the 1991-92 Water CIP Budget.) Best proposal of two (2). .45% MBE, 0% WBE Subcontractor participation. Reference No. 920370-3JR.

On Councilmember Epstein's motion, Councilmember Garcia's second, 6-0-1 Vote, Councilmember Reynolds abstained due to conflict of interest.

22. Approved execution of a contract with AMERICAN TELEPHONE AND TELEGRAPH (AT&T), Austin, Texas, for the purchase and installation of a remote module to complete and connect the telephone system at Avante with the Municipal Building and the Annex, in an amount not to exceed \$109,908.20. (Funding in the amount of \$54,954.10 from the 1991-92 Water and Wastewater CIP Budget; \$54,954.10 from the 1991-92 Water CIP Budget.) Sole bid. the prime did not identify any subcontracting opportunities. (Reference No. 920431-3VC.

23. Approved negotiation and execution of a contract with CABLE COM INC., Austin, Texas, for the purchase and installation of a cabling system for Information System Department's relocation to the Avante Building, in an amount not to exceed \$40,000. (Funding included in

the 1991-92 Water and Wastewater CIP.) Best proposal of seven (7). 12% MBE, 0% WBE Subcontractor participation. Reference No. 920442-3SH.

24. Approved execution of a contract with OFFICE PAVILION CORPORATION, Austin, Texas, for the purchase of lounge chairs and seating to furnish offices, conference rooms and waiting areas in the Convention Center, in an amount not to exceed \$71,806. (Funding included in the Convention Center CIP Fund.) Low bid of six (6) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. 920328-1RW.

Convention Center (Items 24-26)

25. Approved execution of a contract with ROCKFORD BUSINESS INTERIORS, Austin, Texas, for the purchase of workstation and conference room seating for the Convention Center, in an amount not to exceed \$74,798.19. (Funding included in the Convention Center CIP Fund.) Low bid of five (5). The prime did not identify any subcontracting opportunities. Reference No. 920453-1RW.
26. Approved execution of a contract with AUSTIN BUSINESS FURNITURE, Austin, Texas, for the purchase of conference tables and coffee tables for the Convention Center, in an amount not to exceed \$62,807.20. (Funding included in the Convention Center CIP Fund.) Low bid of three (3). The prime did not identify any subcontracting opportunities. Reference No. 920320-1RW.
27. Authorized negotiation and execution of a five (5) year agreement with the AUSTIN STEAM TRAIN ASSOCIATION, INC. (ASTA), and CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY to provide excursion rail passenger service from McNeil, Texas, to Fairland, Texas. (No fiscal impact.) [Approved by Capital Metro Board of Directors]
28. Approved execution of a twelve (12) month service contract with AUSTIN PRESORT, Austin, Texas, for presorting of residual bulk mail service, in an amount not to exceed \$36,000, with the option to extend for two (2) additional twelve (12) month periods, in an amount not to exceed \$36,000 per extension, for a total amount not to exceed \$108,000. (Funding included in the 1991-92 Operating Budget of the Financial Services Department. Funding for the extensions will be requested in each respective final year budget. Projected annual net savings is \$90,000.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 920438-3B0.
29. Approved execution of a twelve (12) month service agreement with HAZ PAK INC., Houston, Texas, for destruction of hazardous materials and controlled substances seized at illegal drug labs, in an amount not to exceed \$126,000, with the option to extend the agreement for up

to two (2) twelve (12) month periods, in an amount not to exceed \$126,000 per extension, for a total amount not to exceed \$378,000. (Funding in the amount of \$31,000 included in the 1991-92 Operating Budget of the Police Department; \$95,000 provided by a Federal grant.) Low bid of three (3). The prime did not identify any subcontracting opportunities. Reference No. 920211-3MN.

30. Approved modification of a revenue contract with AUSTIN BUSINESS CLUSTER (MBE), Austin, Texas, to increase the monthly stipend for paging and information services at Robert Mueller Airport from \$2,200 to \$4,640. (Funding included in the 1991-92 Operating Budget of the Aviation Department; all associated costs are reimbursed by the airlines and will be included in the 1992-93 budget.)
31. Approved the selection of REINHART AND ASSOCIATES INC., Austin, Texas, for professional engineering services for the annual inspection and testing of special City service vehicles which contain aerial towers, mobile cranes and fire apparatus ladder services, in the amount of \$39,541. (Funding included in the 1991-92 Operating Budget of the Fleet Maintenance and Acquisition Fund.) Sole Proposal. 5% MBE, 0% WBE Subcontractor participation.
32. Approved the selection of SPECTRA CONSULTING ENGINEERS, Austin, Texas, for professional engineering services for a study of the electrical distribution system and related design for Brackenridge Hospital, in the amount of \$58,400. (Funding included in the 1991-92 Operating Budget of Brackenridge Hospital.) Best qualification statement of seven (7). 15% MBE, 0% WBE Subcontractor participation.
33. Approved Change Order No. 7 to CHASCO CONTRACTING, Round Rock, Texas, for excavation, addition of rock lining, safety fence and driveway, and water and wastewater valve improvements to the Shoal Creek Boulevard Bridge and Channel Project, in the amount of \$20,568.16 (cumulative total of change orders to date exceeds the administrative approval level established by Council), for a total contract amount of \$1,014,548.54. (Funding in the amount of \$19,818.16 included in CIP 824-607-1905; \$150 included in CIP 388-227-0946; \$600 included in CIP 439-237-0946.)
34. Authorized application and acceptance of a grant in the amount of \$35,000 from the State of Texas, Governor's Office, Criminal Justice Division, to provide funding for one full-time Victim Services counselor in the Police Department to allow the continuation of Crisis Team coverage on weekends. (The City's match is met with existing budgeted salaries).

35. Set a public hearing to approve ordinances adopting the the 1991 uniform Housing Code and the 1991 Dangerous Buildings Code, with local amendments. Date and time: May 14, 1992 at 5:00 p.m. (Recommended by Building Standards Board)
63. Approved negotiation and execution of an Interlocal Agreement between the City of Austin, Travis County, Capital Metro, Lower Colorado river Authority (LCRA) and the University of Texas at Austin regarding the conducting of Disparity Studies by D.J. Miller and Associates on behalf of the listed governmental entities. (City's consultant contract approved by Council on April 9, 1992. City's consultant cost not to exceed \$249,640. Funding in the amount of \$10,000 provided by the Aviation Department; \$57,514 from the General Fund; \$112,631 from Electric Utility; \$67,099 from the Water and Wastewater Utility; and \$2,396 from Solid Waste Services.)

#22-35 and 63 on Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

3:00 P.M. - ELECTRIC UTILITY (Items 36-49)

36. Electric Utility Commission Report
Presented by Marilyn Jones
37. Resource Management Commission Report
Report given by Glen Crow
38. Monthly Management Report (Fiscal, Operations, Fuel)
John Moore, Director of Electric Utility, reported.
39. Monthly Utility Receivable Report.
Director of Finance, Betty Dunkerley, reported.
40. Approved execution of a contract with VON CORPORATION C/O SEAY SALES COMPANY, Houston, Texas, for the purchase of a rubber protective equipment tester, in an amount not to exceed \$53,945. (Funding included in Electric Utility CIP Budget.) Sole bid. The prime did not identify any subcontracting opportunities. Reference File No. 920436-1CM.
41. Approved execution of a contract with AAR ENERGY SERVICES, Plano, Texas, for the purchase of gas turbine equipment specialty tools, in an amount not to exceed \$44,946. (Funding in the amount of \$10,873 included in the 1991-92 Electric Utility Operating Budget; \$34,073 included in 1991-92 CIP Budget.) Sole Source. The prime did not identify any subcontracting opportunities.

42. Approved execution of a contract with SIEMENS ENERGY & AUTOMATION, INC., Houston, Texas, for the purchase of three (3) 145 KV substation circuit breakers for installation at the Austin Dam Substation, in an amount not to exceed \$183,720. (Funding included in Electric Utility CIP Budget.) Low bid of three (3). The prime did not identify any subcontracting opportunities. Reference File No. 920458-1CM.
43. Approved execution of a contract with WESTINGHOUSE ELECTRIC SUPPLY COMPANY, Austin, Texas, for the purchase of two (2) metal-clad switchgear units for use at the Austin Dam Substation, in an amount not to exceed \$227,594. (Funding included in Electric Utility CIP Budget.) Low bid of ten (10) meeting specifications. The prime did not identify any subcontracting opportunities. Reference File No. 920379-1CM.
44. Approved execution of an Interlocal Agreement with TEXAS ENGINEERING EXTENSION SERVICE (TEEX), for job safety and crew supervisor training classes, in an amount not to exceed \$27,886. (Funding included in the 1991-92 Electric Utility Operating Budget.)
45. Approved execution of contract with NUS TRAINING CORP., Houston, Texas, to provide a video-based training package to support the instrumentation Apprenticeship training program and other technical training programs within the Electric Utility Department, in an amount not to exceed \$53,244. (Funding included in the 1991-92 Electric Utility Operating Budget.) Sole Source. The prime did not identify any subcontracting opportunities.

#40-45 on Mayor Pro Tem Urdy's motion, Councilmember Nofziger's second, 7-0 Vote.

46. Approved execution of an eight (8) month spot coal supply contract with EXXON COAL U.S.A., INC., Houston, Texas, for the purchase of coal for the Fayette Power Project, in an estimated amount of \$409,097. (Funding in the amount of \$255,686 included in the 1991-92 Electric Utility Operating Budget and fuel charge revenues: \$153,411 will be requested in the 1992-93 Operating Budget and fuel charge revenues) Low bid of five (5).

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-1 Vote, Councilmember Nofziger voted No.

47. Approved execution of a twelve (12) month natural gas supply contract with UNITED TEXAS TRANSMISSION COMPANY, Houston, Texas, to provide fuel for the City's electric generating plants, in an estimated amount of \$4,574,000. (Funding in the amount of \$2,489,239 included in the 1991-92 Electric Utility Operating Budget and Fuel Charge Revenues: \$2,084,761 will be requested in the

1992-93 Operating Budget and fuel charge revenues. Low bid of six (6). The prime did not identify any subcontracting opportunities.

48. Approved execution of a contract with ORACLE CORP., Austin, Texas, for the purchase of ORACLE Database Software Licenses with Forms for the Electric Utility Department, in an amount not to exceed \$96,150. (Funding included in Electric Utility CIP Budget.) Sole Source. The prime did not identify any subcontracting opportunities.
49. Approved Change Order No. 1 to the contract with GREGORY AND COOK, INC., Houston, Texas, to relocate an existing gas turbine meter at the Decker Creek Power Station, in an amount not to exceed \$81,083, for a total contract amount not to exceed \$5,791,461.30. (Funding included in Electric Utility CIP Budget.)

#47-49 on Mayor Pro Tem Urdy's motion, Councilmember Nofziger's second, 7-0 Vote.

ITEMS FROM COUNCIL

50. Approved a Resolution endorsing the Austin Multi-Family Residential Recycling Plan, calling on staff to support efforts to implement a pilot program, and direct the City manager to expedite the development of a billing system. (Councilmembers Michael "Max" Nofziger and Louise Epstein)

On Councilmember Epstein's motion, Councilmember Nofziger's second 7-0 Vote.

51. Approved extending the completion date of the Austin Comprehensive Arts Plan Task Force to August 15, 1993. (Councilmember Michael "Max" Nofziger)

On Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

52. Set a public hearing to consider renaming a portion of Slaughter Lane to Ralph Ablanedo Drive. Date and time: July 9, 1992 at 5:00 p.m. (Councilmember Ronney Reynolds)

On Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.

53. Adopted a schedule for all reports to the City Council, by the City Manager and the Boards and Commissions concerning the Initiative Petition. (Councilmembers Louise Epstein, Bob Larson, and Ronney Reynolds)

On Councilmember Epstein's motion, Councilmember Larson's second, 4-3 Vote, Mayor Todd, Councilmembers Garcia and Nofziger voted No.

54. Directed the City Manager to initiate or enhance each City Department's participation in an Adopt-a-School and/or Adopt-a-Child Care facility program with first consideration to those schools or child care centers that serve those most in need. (Councilmembers Gus Garcia and Ronney Reynolds)

On Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

55. Approved a Resolution adopting a goal that sufficient savings be identified in FY 1991-92 and 1992-93 to ensure full funding in the base budget for basic police protection and health care without proposing a tax increase. (Mayor Pro Tem Charles Urdy and Councilmember Louise Epstein)

On Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 4-3 Vote, Mayor Todd, Councilmembers Garcia and Nofziger voted No.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

ZONING DISTRICTS

56. C14-92-0017 - CARLSON ENGINEERING CO., 3415 West Slaughter Lane. From I-SF-2 to GR, General Retail. Planning Commission Recommendation: To grant LO, Limited-Office zoning.

Postponed to May 7, 1992, on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

57. C14-92-0020 - CHANNEL HOME CENTER, INC., by Wolfe Nursery, Inc., 8711 Research Blvd. From GR to CS. Planning Commission Recommendation: To grant CS-CO, Commercial Services-Conditional Overlay, limited to : (1) a 0.67 floor-to-area ratio for general retail sales ((general and convenience); (2) all permitted GR uses; (3) agricultural sales and services; (4) art and craft studio.

First Reading

58. C14-85-146 - Z-K REAL ESTATE, by Bob Liverman, 10127 to 10225 Research Blvd. (Amendment to Restrictive Covenant) Planning Commission Recommendation: approve deletion of a portion of the approved site plan (Tract D) and amendment to Restrictive Covenant showing the revised site plan.

Approved

59. C14r-85-146(DE) - Z-K REAL ESTATE, by Bob Liverman, 10127-10225 Research Blvd. (Request for Site Plan deletion.) Planning Commission Recommendation: To grant CH-CO subject to use, height,

setback, building coverage, impervious cover and floor-to-area ratio limitations as proposed by the applicant, except to add group homes and religious assembly uses as permitted uses.

First Reading

#57-59 on Councilmember Reynolds' motion, Councilmember Garcia's second, 7-0 Vote.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

60. 5:00 P.M. - Citizen Input on community needs to be addressed by activities funded under the 18th Year (Fiscal Year 1992-93) Community Development Block Grant (CDBG).

Closed public hearing, on Councilmember Garcia's motion, Councilmember Epstein's second, 7-0 Vote.

FINAL CITIZEN COMMUNICATIONS

Douglas Fike spoke.

EXECUTIVE SESSION (No Public Discussion on These Items)

Council held their Executive Session at 10:00 A.M., this date.

The City Council will announce that it will go into Executive Session, if necessary, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters. No final action will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

61. Pending Litigation, Section 2, Paragraph e
Save Our Springs Coalition, et al v. City Council of Austin, et al.
62. Pursuant to Article 6252-17, Section 2, Paragraph f
Discuss land acquisition for Convention Center parking.

ADJOURNMENT

The meeting was adjourned at 9:22 P.M.

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